

FORM PTO-1083

Attorney Docket No.: 101.0084-01000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Gary K. Michelson
Serial No: 09/921,844
Filed: August 3, 2001
For: SPINAL IMPLANT SURFACE
CONFIGURATION

Confirmation No.: 8295

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Art Unit: 3738
Examiner: Bruce Edward Snow

DEC 15 2010

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Notice of Appeal in reply to the Office Action of November 30, 2010 in the above-identified application.

- ☐ No additional fee is required.
 - ☐ Applicant hereby requests a ***-month extension of time to respond to the above office action.
 - ☒ A Pre-Appeal Brief Request for Review and Form PTO/SB/33 are enclosed.
 - ☐ An Information Disclosure Statement Under 37 C.F.R. § 1.97(***) with Form PTO/SB/08 is enclosed.
 - ☒ The total amount of \$540.00 to cover the fee for a Notice of Appeal is to be charged to Deposit Account No. 50-3726.
 - ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726.
- A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
 - ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
MARTIN & FERRARO, LLP

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Date: December 15, 2010

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Transmittal of Reply to Office Action 12-15-10

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From: MARTIN & FERRARO LLP